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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,112	03/11/2004	Stephen Rawle	00216-624001 / Case 8125	5924
26161	7590	08/07/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			PAYER, HWEI SIU CHOU	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/798,112	Applicant(s) RAWLE, STEPHEN	
	Examiner Hwei-Siu C. Payer	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

The amendment filed on 4-27-2006 has been entered. The text of the canceled claims should not be supplied.

Claims Objection

Claims 1-8 and 11-17 are objected to because of the following informalities:

(1) In claims 1 and 11, line 8, "a blade" should read --the blade--.

(2) In claims 16 and 17, line 1, "said support member base portion" should read – said depending base portion--.

Appropriate correction is required.

Claims Rejection - 35 U.S.C. 103(a)

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7, 8 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilder et al. (U.S. Patent Application Publication No. 2002/0144404) in view of Gilder et al. (U.S. Patent No. 6,212,777).

Gilder et al. '404 discloses a shaving razor blade unit comprising a housing (10), a shaving surface defined by a group of parallel blades (19,20,21,22) supported by the housing (10), the blades (19,20,21,22) being mounted on support members (28) that are movable mounted on the housing (10). The shaving razor blade unit of Gilder et al. can be a three-blade shaving unit (see Fig.5) or a four-blade shaving unit (see Fig.8). In both cases, the inter-blade span (S2 and S3 for three blades, see Fig.5) and (S2,S3,S4 for four blades, see Fig.8) can be 1.11 mm (see paragraphs [0025] and [0031]) regardless the numbers of the blades, and the expose of blades between the first blade and the last blade is approximately 0 degree.

In view of this fact, one skilled in the art who wishes to provide the four-blade shaving unit (Fig.8) of Gilder et al. with an additional blade (for the purpose of adding an additional cutting surface to reduce overall shaving time) would have known to keep the inter-blade span at a constant value (i.e. 1.11 mm) as suggested by Gilder et al. Therefore, the claimed limitation of "the distance from the cutting edge of a first blade of said group to a last blade of said group being between 3.8 mm and 4.6 mm" is met (i.e. $1.11 \text{ mm} \times 4 = 4.44 \text{ mm}$).

With regard to the blade length, the '404 reference is silent about it. However, since the inter-blade span is at the above constant value (i.e. 1.11 mm), it is obvious that the blade length thereof is about or less than 1.11 mm. To select a certain range such as less than 1mm for the blade length of the '404 reference would have been obvious to one having ordinary skill in the art, since it has been held that where the

general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233 (CCPA 1955).

It is noted the blades of Gilder et al. '404 are each mounted on a support member (28) which is not of the claimed angled shape, and the exposure of the first and last blades is not as claimed.

Gilder et al. '777 show a blade (11) mounted on a support member (unnumbered, see Fig.2) having a blade platform portion for supporting the blade (11) and a depending base portion angled relative to the blade platform portion. The '777 reference also shows a blade unit comprising a first blade (11) having a negative exposure (EXP -0.04 , see Fig.2) and a last blade (13) having a positive exposure (EXP $+0.06$, see Fig.2).

It would have been obvious to one skilled in the art to further modify Gilder et al. '404 by having each blade supported on a well-known angled shape blade support member such as that of '777's and by having the first blade arranged at a negative exposure and the last blade arranged at a positive exposure to reduce the drag forces during shaving as taught by the '777 reference.

With regard to claims 2 and 3, it is well known in the art the length of the inter-blade span affects the overall size and the rinsing efficiency of the blade unit. Therefore, it would have been obvious to one skilled in the art to further modify Gilder et

al. by selecting a desirable range for the blades distance to achieve a desirable size of the blade unit and yet not to jeopardize the rinsing efficiency thereof.

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gilder et al. (U.S. Patent Application Publication No. 2002/0144404) and Gilder et al. (U.S. Patent No. 6,212,777) as applied to claim 1 above, and further in view of Trotta (U.S. Patent No. 4,407,067).

Gilder et al. '404 as modified shows all the claimed structure except it is silent about the range for the blade tangent angle.

Trotta shows a razor unit comprising a group of blades (40,44) each having a blade tangent angle of between 21 to 22 degrees (see Abstract).

It would have been obvious to one skilled in the art to further modify Gilder et al. '404 by having the blades at a tangent angle of between 21 to 22 degrees to achieve a closer and safer shave as taught by Trotta.

Remarks

Applicant's arguments with respect to claims 108 and 11 have been considered but are moot in view of the new ground(s) of rejection.

Action Made Final

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for official communications and 571-273-4511 for proposed amendments.

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H Payer
July 27, 2006

H. Payer

~~Hwai-Siu Payer~~
~~Primary Examiner~~